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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,653	10/30/2001	Harold Randolph Anderson	0523-1-1	1045

7590 02/24/2004

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EXAMINER

LITHGOW, THOMAS M

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 02/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/020,653	Applicant(s) ANDERSON ET AL.	
	Examiner Thomas M. Lithgow	Art Unit 1724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-19 and 25-27 is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-14, 20-24 and 28-33 is/are rejected.
- 7) ☐ Claim(s) 8-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 33-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 33 recites a collection of elements without any structure connecting the elements in a manner to result in an operative apparatus.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by either one of Lerche (US 5885459) or EP 578006. The Lerche '459 process discloses adding in 5-20% fresh water into his single pass laundry recycle water system. Clearly, 80-95% of the water is recycled. In EP '006 a laundry water single pass recycle process is described in which 6 liters out of 60 liters (original) is sent to waste.

3. Claim 33 is rejected under 35 U.S.C. 102(b) as being anticipated by Arnaud (US 5647977). Arnaud discloses a system to recycle wash water from a car wash or laundry (col. 1, lines 8-9) in which a container sump receives the waste water and is first filtered in bag or disk filter 64 (lint filter), a multimedia pressure vessel 102, an activated carbon filter 104, a polymer coagulant employed in vessel 86 (col. 7, line 45+) and a means for disinfecting (107) that kills bacteria etc. (col. 6, lines 7+).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,3,5,7,11-14,20,22,24 and 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pattee (US 6010621) in view of Manillo (US 5787537) and Thomas (US 4211652). Pattee '621 discloses the basic single pass laundry water recycle system as shown in figure 2.

The Pattee system fails to include a UV disinfectant step and employs a media filter 105 which may have one or two medias with no specific disclosure that the media is of different sizes as recited in claim 3. Mannillo '537 discloses a laundry water recycle system with a plurality of unit operations , including ozonation , before a final treatment with UV light. Mannillo '537 discloses that a final UV treatment both destroys residual ozone and kills residual bacteria still in the water (col. 10, line 32). Pattee '621 which employs an ozone system would similarly benefit from the final UV treatment for the above two reasons. Thomas '652 discloses a multimedia filter 60 employed in the clarification of recycled laundry water to remove solids and oils (col. 5, lines 25-65). The multimedia filter of Thomas '652 functions to remove the same materials as does the media filter 105 of Pattee ' 621 but is more efficient due to the graduated sizes of the particulate material (col. 5, lines 25-35). To employ the teachings of Mannillo '537 and Thomas '652 into the Pattee '621 process for their intended benefits would have been obvious to one of ordinary skill in the art.

6. Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claims 3 and 20 respectively

above, and further in view of either one of Lahti (US 5807487) or Sharkey (US 5350526). Either one of the above two secondary patents disclose the use of a pressure bag for the removal of lint from a wash machine. The use of such a filter for the functionally equivalent lint filter 64 of Pattee would have been obvious to one of ordinary skill in the art.

7. Claims 6 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claims 3 and 20 above, and further in view of Smith (US 3738126). The use of a grooved spinning plate as a lint filter is taught by Smith '126. To use the functionally equivalent disk filter for the lint filter 64 of Pattee '621 would have been obvious to one of ordinary skill in the art.

8. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arnaud (US 5647977) as applied to claim 33 above, and further in view of Dobrez (US 5246904). Dobrez '904 teaches that it is known to add cationic coagulants to laundry waste water and then subject the waste water to clarification. To employ a known cationic coagulant as taught by Dobrez '904 for the broadly disclosed coagulant in Arnaud '977 would have been obvious to one of ordinary skill since both processes treat laundry waste water.

9. Claims 15-19 and 25-27 are allowable.
10. Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. Claim 34 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
12. Applicant's arguments filed 12-11-2003 have been fully considered but they are not persuasive. Applicant did not specifically address the separate rejection employing Pattee '621 as the primary reference. However, in response to certain observations of applicant the following is offered. Applicant asserts that Pattee '621 discloses a "free oil" filter (presumably oil filter 80). As applicant's claims do not exclude any intervening steps (open type comprising language) the presence of an additional step not recited in the claims is irrelevant. This also applies to the heat exchanger 20 in the Pattee process. Applicant refers to the "sequence" of the present invention. Applicant can appreciate that claim 25 as now recited has a sequence whereas claim 3 does not.

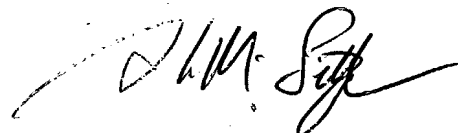
13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Lithgow whose telephone number is 571-272-1162. The examiner can normally be reached on Mon. -Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blain Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas M. Lithgow
Primary Examiner
Art Unit 1724

TML